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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/032,535	01/02/2002	John C. Shaw	054253-5001	5955

24271 7590 09/05/2006

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EXAMINER

HARBECK, TIMOTHY M

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/032,535

Applicant(s)

SHAW ET AL.

Examiner

Timothy M. Harbeck

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-163 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-163 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-51, 68-104 and 121-147 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ordish (US 5,772,165) in view of Anonymous ("IBEX system links buyers to global business community." Purchasing. Boston: Oct 5, 1995. Vol. 119, Iss. 5; pg. 23, 4 pgs).

**Re Claim 1:** Ordish discloses a method for anonymously and confidentially determining contraparties to a transaction and notifying an authorized representative of the contraparties to contact the contraparties in order to consummate a transaction, comprising the steps of:

- Receiving indications of interest from potential transferees and potential transferors into a central processing system wherein the indications of interest are received from an order management system (i.e. keystations; See abstract and Fig 8 "KS A and KS B") integrated with the central processing system each indication of interest involving a transfer of a specific item; anonymously comparing indications of interest received from potential transferees with indications of interest received from potential transferors within the central processing system to determine whether a

Art Unit: 3628

match has occurred; determining contraparties to a transaction based on said determination of whether a match has occurred; notifying the authorized representative of the contraparties that a match has occurred between the contraparties; (Column 4, line 8-Column 5 line 10)

Ordish does not explicitly disclose

- Providing contacting means to the authorized representative to allow the authorized representative to contact the contraparties so that a transaction between the contraparties through direct consummation by the authorized representative and the contraparties.

Anonymous discloses a matching system wherein once a match has occurred users are notified and can then negotiate directly with each other over the phone or through more advanced electronic functions supplied by IBEX. It would have been obvious to a person of ordinary skill in the art to modify Ordish to include the direct negotiation and consummation features taught by Anonymous so that a user can consummate the transaction via means that are most comfortable for them.

Furthermore, Ordish notes that users of the system are allowed to utilize direct routes of communication as opposed to the system according to the clients or counterparties preferences (Column 7, lines 42-48). While the references do not explicitly disclose the use of separate authorized representatives, Official Notice is taken that the use of these agents, such as broker was notoriously well known in the art at the time of invention and would have been obvious to anyone of ordinary skill.

**Re Claim 2-4:** Ordish in view of Anonymous discloses the claimed method supra and Ordish further discloses wherein the at least one of the received indication of interest involves the transfer of an equity security, debt security or derivative security (Column 4, lines 11-14 "any type of trading instrument).

**Re Claims 5-7, 9-11, 13-17:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the use of parameter limits and transaction satisfaction profiles. Official Notice is taken that the use of parameter limits and satisfaction profiles were notoriously well known in the art at the time of invention. It would have been obvious to a person of ordinary skill to include these steps to the disclosure of Ordish in view of Anonymous so that a user can enter a range of possible matches that will be satisfactory and not just one very specific trade. This increase the odds that this trade will be accepted because an exact match does not have to be found and further the added flexibility of the system would create a more efficient market.

**Re Claim 8:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the step wherein at least one of the indications of interest includes ancillary information not used in determining whether a match has occurred in said comparing step but which is transmitted to a matched counterparty during said consummating the transaction step to assist in consummation by the contraparties. However as noted earlier, Anonymous discloses the step of placing the parties in contact with each other either by phone or electronically. Therefore it is inherent that the parties had provided either telephone numbers or email addresses, which were not

Art Unit: 3628

relevant to the matching process. Without providing this information it would not be possible for the host to arrange communication.

**Re Claim 12:** Ordish in view of Anonymous discloses the claimed method supra and Anonymous further discloses wherein said providing step also includes providing contacting means directly to the counterparties (Abstract; IBEX functions for electronically communicating).

**Re Claim 18:** Ordish discloses a method for anonymously and confidentially determining counterparties to a transaction and introducing authorized representatives of each respective counterparty to each other in order for the authorized representatives to consummate a transaction, comprising the steps of:

- Receiving indications of interest from potential transferees and potential transferors into a central processing system wherein the indications of interest are received from an order management system (i.e. keystations; See abstract and Fig 8 "KS A and KS B") integrated with the central processing system each indication of interest involving a transfer of a specific item; anonymously comparing indications of interest received from potential transferees with indications of interest received from potential transferors within the central processing system to determine whether a match has occurred; determining counterparties to a transaction based on said determination of whether a match has occurred; notifying the counterparties and their respective authorized representatives that a

Art Unit: 3628

match has occurred between the contraparties; (Column 4, line 8-Column 5 line 10)

Ordish does not explicitly disclose

- Providing contacting means to each of the authorized representatives to allow the authorized representative to contact each other so that a transaction can be consummated between the contraparties and consummating the transaction between the contraparties through direct communication through direct consummation by the authorized representatives of the contraparties.

Anonymous discloses a matching system wherein once a match has occurred users are notified and can then negotiate directly with each other over the phone or through more advanced electronic functions supplied by IBEX. It would have been obvious to a person of ordinary skill in the art to modify Ordish to include the direct negotiation and consummation features taught by Anonymous so that a user can consummate the transaction via means that are most comfortable for them.

Furthermore, Ordish notes that users of the system are allowed to utilize direct routes of communication as opposed to the system according to the clients or counterparties preferences (Column 7, lines 42-48). While the references do not explicitly disclose the use of separate authorized representatives, Official Notice is taken that the use of these agents, such as broker was notoriously well known in the art at the time of invention and would have been obvious to anyone of ordinary skill.

Art Unit: 3628

**Re Claim 19-21:** Ordish in view of Anonymous discloses the claimed method supra and Ordish further discloses wherein the at least one of the received indication of interest involves the transfer of an equity security, debt security or derivative security (Column 4, lines 11-14 “any type of trading instrument).

**Re Claims 22-24, 26-28, 30-34:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the use of parameter limits and transaction satisfaction profiles. Official Notice is taken that the use of parameter limits and satisfaction profiles were notoriously well known in the art at the time of invention. It would have been obvious to a person of ordinary skill to include these steps to the disclosure of Ordish in view of Anonymous so that a user can enter a range of possible matches that will be satisfactory and not just one very specific trade. This increase the odds that this trade will be accepted because an exact match does not have to be found and further the added flexibility of the system would create a more efficient market.

**Re Claim 25:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the step wherein at least one of the indications of interest includes ancillary information not used in determining whether a match has occurred in said comparing step but which is transmitted to a matched counterparty during said consummating the transaction step to assist in consummation by the contraparties. However as noted earlier, Anonymous discloses the step of placing the parties in contact with each other either by phone or electronically. Therefore it is inherent that the parties had provided either telephone numbers or email addresses, which were not

relevant to the matching process. Without providing this information it would not be possible for the host to arrange communication.

**Re Claim 29:** Ordish in view of Anonymous discloses the claimed method supra and Anonymous further discloses wherein said providing step also includes providing contacting means directly to the contraparties (Abstract; IBEX functions for electronically communicating).

**Re Claim 35:** Ordish discloses a method for anonymously and confidentially determining contraparties to a transaction and providing contacting means between the contraparties to allow them to consummate a transaction comprising the steps of:

- Receiving indications of interest from potential transferees and potential transferors into a central processing system wherein the indications of interest are received from an order management system (i.e. keystations; See abstract and Fig 8 "KS A and KS B") integrated with the central processing system each indication of interest involving a transfer of a specific item; anonymously comparing indications of interest received from potential transferees with indications of interest received from potential transferors within the central processing system to determine whether a match has occurred; determining contraparties to a transaction based on said determination of whether a match has occurred; notifying each of the contra parties to a transaction that a match has occurred between the contraparties; (Column 4, line 8-Column 5 line 10)

Ordish does not explicitly disclose

- Providing contacting means to the each of the contraparties to allow the contraparties to contact each other to consummate their transaction and consummating the transaction between the contraparties through direct consummation by the contraparties

Anonymous discloses an matching system wherein once a match has occurred users are notified and can then negotiate directly with each other over the phone or through more advanced electronic functions supplied by IBEX. It would have been obvious to a person of ordinary skill in the art to modify Ordish to include the direct negotiation and consummation features taught by Anonymous so that a user can consummate the transaction via means that are most comfortable for them.

Furthermore, Ordish notes that users of the system are allowed to utilize direct routes of communication as opposed to the system according to the clients or counterparties preferences (Column 7, lines 42-48).

**Re Claim 36-38:** Ordish in view of Anonymous discloses the claimed method supra and Ordish further discloses wherein the at least one of the received indication of interest involves the transfer of an equity security, debt security or derivative security (Column 4, lines 11-14 "any type of trading instrument).

**Re Claims 39-41, 43-45, 46-50:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the use of parameter limits and transaction satisfaction profiles. Official Notice is taken that the use of parameter limits and satisfaction profiles were notoriously well known in the art at the time of invention. It would have been obvious to a person of ordinary skill to include these steps to the

Art Unit: 3628

disclosure of Ordish in view of Anonymous so that a user can enter a range of possible matches that will be satisfactory and not just one very specific trade. This increase the odds that this trade will be accepted because an exact match does not have to be found and further the added flexibility of the system would create a more efficient market.

**Re Claim 42:** Ordish in view of Anonymous discloses the claimed method supra but does not explicitly disclose the step wherein at least one of the indications of interest includes ancillary information not used in determining whether a match has occurred in said comparing step but which is transmitted to a matched counterparty during said consummating the transaction step to assist in consummation by the contraparties. However as noted earlier, Anonymous discloses the step of placing the parties in contact with each other either by phone or electronically. Therefore it is inherent that the parties had provided either telephone numbers or email addresses, which were not relevant to the matching process. Without providing this information it would not be possible for the host to arrange communication.

**Re Claim 51:** Ordish discloses an information management system for confidentially determining contraparties to a transaction and introducing them and/or their agents to each other in order to allow them to consummate the transaction comprising:

- Means for receiving indications of interest from potential transferees and potential transferors into a central processing system wherein the indications of interest are received from an order management system (i.e. keystations; See abstract and Fig 8 "KS A and KS B") integrated with the

central processing system; means for confidentially and anonymously comparing the received indications of interest from potential transferees and potential transferors to determine whether a match has occurred, and thus whether contraparties to a transaction have been identified; and means for informing parties that a match has occurred between the contraparties (Column 4, lines 8- Column 5 line 10)

Ordish does not explicitly disclose

- Providing contact between the identified contraparties so that further action may be taken by the contraparties to consummate their mutually desired transaction

Anonymous discloses a matching system wherein once a match has occurred users are notified and can then negotiate directly with each other over the phone or through more advanced electronic functions supplied by IBEX. It would have been obvious to a person of ordinary skill in the art to modify Ordish to include the direct negotiation and consummation features taught by Anonymous so that a user can consummate the transaction via means that are most comfortable for them.

Furthermore, Ordish notes that users of the system are allowed to utilize direct routes of communication as opposed to the system according to the clients or counterparties preferences (Column 7, lines 42-48).

**Re Claims 68-77:** Further system claims would have been obvious in order to implement previously rejected method claims 2-8 and 12-14 respectively, and are therefore rejected using the same art and rationale.

**Re Claims 78:** Further method claim would have been obvious from the previously rejected system claim 51 and is therefore rejected using the same art and rationale

**Re Claims 79-93:** Further method claims contain the same limitations as previously rejected method claims 2-11 and 13-17 respectively and are therefore rejected using the same art and rationale.

**Re Claim 94:** As shown in the previous rejection of claim 51, Ordish in view of Anonymous discloses the claimed information management system, and Ordish further discloses wherein these indications of interest are non-firm (Column 4, lines 38-43)

**Re Claim 95-104:** Further system claims contain the same limitations as previously rejected system claims 68-77 respectively and are therefore rejected using the same art and rationale.

**Re Claim 121:** As shown in the previous rejection of claim 78, Ordish in view of Anonymous discloses the claimed method, and Ordish further discloses wherein the process receives prospective transaction entries (Column 4, lines 18-29)

**Re Claims 122-136:** Further method claims contain the same limitations as previously rejected method claims 2-11 and 13-17 respectively and are therefore rejected using the same art and rationale.

**Re Claim 137:** As shown in the previous rejection of claim 51, Ordish in view of Anonymous discloses the information management system, and Ordish further discloses wherein the process receives prospective transaction entries (Column 4, lines 18-29)

Art Unit: 3628

**Re Claims 138-147:** Further information management system claims contain the same limitations as previously rejected system claims 68-77 respectively and are therefore rejected using the same art and rationale.

Claims 52-67, 105-120 and 148-163 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ordish in view of Anonymous in view of Ferstenberg (6,968,318 B1).

**Re Claim 52:** Ordish discloses a secure system for the trading of transferable commodities, including:

- A network, including a secure station and a plurality of remote user locations having respective user identities and communicatively linked to the secure station for data transmission between the secure station and the user locations; a memory at the secure station for storing user data and for storing transaction data in the form of multiple prospective transaction entries received from the user locations, each of the entries including a transferable item indication and a transaction side indication identifying one of two opposing transaction sides; a search component operatively coupled to the memory, said search component performing a comparison of the stored entries with respect to the transferable item indications and the transaction side indications and, based on said comparison, to select sets of two or more of the stored entries as matching entries having the same transferable item indication and

Art Unit: 3628

together including transaction side indications identifying the opposing transaction sides, a message sending component operatively coupled to the search component and to the memory and, in response to the selection of each said set of matching entries, generating a prospective transaction message including the transaction indication corresponding to each of the matching entries and further providing the prospective transaction message to the user locations associated with the corresponding user identities (Column 4 line 8 – Column 5 line 10)

Ordish does not explicitly disclose

- Facilitating an interaction among users associated with the user locations to complete a transaction involving the transferable item, wherein the users interact with each other to complete the transaction
- A data security component for restricting access to any given prospective transaction entry, even if unmatched, stored in the memory to (i) the user identity corresponding to the given entry and (ii) the user identities corresponding to the other entries in any of said sets of entries that includes the given entry.

Anonymous discloses an matching system wherein once a match has occurred users are notified and can then negotiate directly with each other over the phone or through more advanced electronic functions supplied by IBEX. It would have been obvious to a person of ordinary skill in the art to modify Ordish to include the direct

Art Unit: 3628

negotiation and consummation features taught by Anonymous so that a user can consummate the transaction via means that are most comfortable for them.

Furthermore, Ordish notes that users of the system are allowed to utilize direct routes of communication as opposed to the system according to the clients or counterparties preferences (Column 7, lines 42-48).

Ferstenberg discloses a matching system including a data security component that restricts access to any given entry to the user identity (Column 14, lines 32-41). It would have been obvious to a person of ordinary skill in the art to include the teachings of Ferstenberg to the disclosure of Ordish so that each user does not necessarily reveal any of their potential trades to other competitors. In being able to conceal their trades until a match has occurred, the user can be assured that someone else does not under or over bid for the same trade, thus maintaining the integrity of the market as a whole.

**Re Claim 53:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein said message sending component provides the prospective transaction message substantially simultaneously to the user locations associated with said corresponding user identities (C12, lines 47-49).

**Re Claim 54:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses a menu for enabling users to select transferable item indications corresponding to different types of transferable items (C24, lines 56-59)

**Re Claim 55:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein said menu is stored in memory (C24, lines 56-59)

**Re Claim 56:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein the data security component includes a plurality of user pages maintained at the secure station each of the user pages having associated with and accessible only by one of the users (C14, lines 32-41).

**Re Claim 57:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein each of the prospective transaction entries includes a further indication selected from a group of further indications consisting of: an amount indication designating an amount of the transferable item corresponding to the transferable item indication; a price indication designating an acceptable price or an acceptable price range and a time limit indication (C30 line 25 – C31 line 64).

**Re Claim 58:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses an apportionment component, responsive to the selection of a set of matching entries that includes at least two entries having the same transaction side, for apportioning the designated amount of the transferable item among the user identities corresponding to the given transaction side (C19 lines 1-17)

**Re Claim 59:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein the memory includes an active segment for storing prospective transaction entries with none of said further indications and for storing entries including further indications that are satisfied; and a suspended segment for storing prospective transaction entries including a further indication which is not satisfied, wherein the secure station further includes an entry monitoring component operatively associated with the active and suspended segments, for repeatedly monitoring the entries that include a further indication, to determine whether that further indication is satisfied, and wherein said search component performs said comparison only upon the entries stored in the active segment (C4, lines 63 – C5 line 16; offer and counter offers are further indications)

**Re Claim 60:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein the memory further includes a pending segment for storing prospective transaction entries designated as pending by the corresponding users and a means for shifting an entry from the pending segment to the active segment responsive to a signal from the corresponding user location activating the entry (C4 line 63 – C5 line 45; the receipt of an offer or counter offer shifts the entry from pending to active in the memory of the agent and intermediary).

**Re Claim 61:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses a status designation component enabling each user to alternatively designate a prospective transaction entry

Art Unit: 3628

as active or pending; wherein the memory includes an active memory segment for storing entries designated as active, and an inactive segment for storing entries designated as pending and means for transferring from one of said segments to the other in response to a change in designation (C4, line 63-C5 line 45).

**Re Claim 62:** Further process claim would have been obvious from the previously rejected system claim 52 and is therefore rejected using the same art and rationale.

**Re Claim 63:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein said message sending component provides the prospective transaction message substantially simultaneously to the user locations associated with said corresponding user identities (C12, lines 47-49).

**Re Claim 64:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein prior to receiving the prospective transaction entries from a given user, authorizing the given user based on the give user's meeting of predetermined qualification requirements (Column 15, lines 51-54)

**Re Claim 65:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein said restricting access includes maintaining at the secure location a plurality of user pages, each user page personalized to an accessible only by an associated one of the user locations (C14, lines 32-41)

**Re Claim 66:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein each of the prospective transaction entries further optionally includes a condition, and the process further includes: identifying the prospective transaction entries that include a condition and monitoring each of the entries so identified to determine whether the associated condition is satisfied (C30, line 25 – C31 line 26).

**Re Claim 67:** Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system supra and Ferstenberg further discloses wherein at least a portion of the prospective transaction entries include an amount indication associated with the transferable item indication and the process further includes: responsive to the selection of a set that includes at least two entries with the same transaction side indication, apportioning the transferable item among users indicating said same side transaction ((C19 lines 1-17)

**Re Claim 105:** As shown in the previous rejection of claim 52, Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system, and Ordish further discloses wherein these indications of interest are non-firm (Column 4, lines 38-43).

**Re Claims 106-114:** Further secure system claims contain the same limitations as previously rejected system claims 53-61 and are therefore rejected using the same art and rationale.

**Re Claims 115:** As shown in the previous rejection of claim 62, Ordish in view of Anonymous in view of Ferstenberg discloses the claimed process, and Ordish further discloses wherein these indications of interest are non-firm (Column 4, lines 38-43).

**Re Claims 116-120:** Further process claims contain the same limitations as previously rejected process claims 63-67 and are therefore rejected using the same art and rationale.

**Re Claims 148:** As shown in the previous rejection of claim 52, Ordish in view of Anonymous in view of Ferstenberg discloses the claimed system, and Ordish further discloses wherein the entries include a transferable item element and a transaction side element (Column 4, lines 11-18)

**Re Claims 149-157:** Further system claims contain the same limitations as previously rejected system claims 53-61 and are therefore rejected using the same art and rationale.

**Re Claim 158:** As shown in the previous rejection of claim 62, Ordish in view of Anonymous in view of Ferstenberg discloses the claimed process, and Ordish further discloses wherein the entries include a transferable item element and a transaction side element (Column 4, lines 11-18)

**Re Claims 159-163:** Further process claims contain the same limitations as previously rejected process claims 63-67 and are therefore rejected using the same art and rationale.

### ***Response to Arguments***


Applicant's arguments with respect to claims 1-163 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy M. Harbeck whose telephone number is 571-272-8123. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 571-272-6799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
HYUNG SOUGH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3628